

ARTICLE 19

PAY AND PER DIEM

1. Introduction:

- a. The Parties agree that training on the topics of pay, per diem, and travel are important and should be included during new employee orientation and given periodically throughout employment.
- b. Upon the employee's request and if warranted due to negative financial impact(s), Management will provide a letter to the employee explaining the delay of his or her pay or reimbursement of authorized travel expenses.

2. Pay:

- a. Employees are responsible to submit accurate and timely Time and Attendance (T&A) reports. It is understood that in some situations the employee may be dependent upon others to submit his or her T&A reports. Management agrees to provide approved reports of T&A for pay purposes to the National Finance Center. Management agrees to provide notice to the employee and employee's supervisor if a timesheet is missing. If the employee provides T&A profile access to Management and the employee is unavailable or unable to submit their timesheet, then Management will submit a "base 80" timesheet on their behalf. The employee will submit a corrected T&A, if needed, as soon as possible.
- b. Management will assist any employee who does not receive a paycheck by Friday afternoon following the scheduled payday. Management agrees to follow up with the National Finance Center on lost, stolen, or late paychecks in accordance with National Finance Center procedures. Management will take action to make payments to employees to cover late checks, normally within 3 business days from employee contact with the Albuquerque Service Center (ASC).

- c. Paperless statements of earnings and leave (SEL) are preferred as per U.S. Department of Agriculture (USDA) Policy, but hard copies will be provided upon request to an employee without electronic access to the statements.
 - (1) Upon request to the Human Resources Management (HRM) Contact Center by an employee who is unable to access their SEL for a pay period, Management will provide the employee with a hardcopy within 10 days.
 - (2) For ongoing receipt of mailed hardcopy SEL, an employee may submit a waiver request to HRM at any time. (Note: Employees on appointments of 60 days or less will receive a hard-copy SEL and do not need to submit a waiver.) Examples of when waivers are appropriate include:
 - (a) An employee does not have access to the Employee Personal Page.
 - (b) An employee does not have access to the Internet.
 - (c) An employee has a disability.
 - (d) An employee needs special access equipment.
 - (e) An employee has a geographic, language, or literacy barrier.
- HRM will approve or deny the waiver request, and communicate the decision to the employee in writing within 28 days of the request. Denials are grievable.
- (3) Waiver requests by employees on 1039 appointments will automatically be approved in writing within 28 days of the request.
- d. Employees will be authorized a reasonable amount of official time and equipment use to access and print their SEL, process waiver requests, and to ensure their paycheck was deposited.
- e. Back Pay: Interest on back pay to employees shall be paid in accordance with current law.

3. Per Diem:

- a. Travel and per diem will be administered in accordance with FSH 6509.33, Chapters 300 and 301 and any supplemental agreements.
- b. Employees in travel status, including employees temporarily detailed to another duty station, will receive the per diem rates established in the Federal Travel Regulations (FTR) for that geographic area.
- c. Long-term details: All terms of a detail including lodging arrangements, reductions in the maximum per diem rate, travel reimbursement, travel home during the detail, work schedules, and the travel savings shared benefits program will be discussed and documented in writing between Management and the employee before the detail commences.
- d. Field per diem: Field per diem rate will be paid equal to the per diem rates established in the FTR for that geographic area unless a lesser amount has been negotiated at the intermediate or local level.
- e. Travel charge card: The FTR requires employees to have and use a travel charge card for officially approved transportation and travel expenses, except as follows:
 - (1) Employees who travel 5 times or less a year.
 - (2) New employees who may be required to perform temporary duty travel en route to their first post of duty.
 - (3) Employees who have had their Government Travel Charge Card canceled for cause by the issuing bank.
 - (4) An employee appointment to a (Temporary) position for work of an expected duration of less than one year. FSH 6109.12, section 61.
 - (5) Appointment to a position for work of an expected duration of more than 1 year but not more than 4 years (Term Appointment) FSH 6109.12, section 60.5

- (6) Annually recurring work requiring less than 12 months each year.
(Seasonal work could occur on a part-time or on a full-time basis.) 5 CFR 340, subpart D and FSH 6109.12 section 61.33.
 - (7) Work occurring at sporadic or irregular intervals (Intermittent) so that an employee's hours of duty cannot be scheduled in advance of the administrative workweek. FSH 6109.12, section 60.5.
 - (8) Employees with credit issues (for example, those with credit problems, past or present).
- f. Travel vouchers will normally be submitted within 5 business days of returning from travel or every 2 weeks if on continuous travel and processed in a timely manner in accordance with Agency policy (FSH 6509.33, 301-52.7). If the employee does not submit their own travel voucher, the employee will be notified, as soon as practical, when their travel voucher has been submitted.
 - g. Advances: Under normal conditions, Management will plan trip assignments so that an employee who does not have a Government Travel Charge Card has sufficient time to request and receive a travel advance to use on the assigned trip. The amount of the advance is subject to the limitations stated in Federal Travel Regulations.
 - h. If travel arrangements cannot be made far enough in advance to obtain a travel advance, the Agency will make alternative arrangements, which could include providing direct payment for transportation and lodging expenses.
 - i. In situations where a government vehicle is assigned to a work unit, if the vehicle is not both available and suitable for the task to be accomplished, the employee may, with prior approval of the supervisor/approving official, be authorized to use their Privately Owned Vehicle (POV) as advantageous to the government and be compensated at the "if no government vehicle available rate" in accordance with FSH 6509.33, 301.

- j. Local parties may negotiate arrangements for employee use of Government-Owned Vehicle (GOV) and POV that do not conflict with laws, regulations, or this Master Agreement.

4. Remote Worksites: Impact and implementation of changes made to remote work sites or the establishment of new worksites are subject to local negotiations. When Management proposes a remote-site allowance for U.S. Office of Personnel Management (OPM) approval, the Local Union will be given an opportunity to review and comment on the proposal. The Local Union may propose that a site be considered remote or an existing remote worksite be changed.

5. Hazard and Environmental Differential Pay: Hazard pay and environmental differential pay will be authorized and paid in accordance with appropriate regulations 5 CFR 532.511; 5 CFR 532.513; 5 CFR 532, Subpart E, Appendix for Federal Wage System Employees; 5 CFR 550, Subpart I for General Schedule Employees; and Forest Service Handbook 6109.11, Pay Administration, Attendance and Leave Handbook. Some environmental differentials are payable only if protective facilities, devices, or articles of clothing have not practically eliminated the hazard. In accordance with OPM guidelines, new hazard or environmental differential percentages for existing environmental categories, or new categories of environmental differential pay, may be negotiated nationally and submitted to OPM for approval.

6. Overtime and Compensatory Time:

- a. The Parties agree that an employee directed (orally or in writing) to work in excess of 8 hours a day or 40 hours a week by his/her supervisor or authorized Management official has been “officially ordered” with respect to overtime work. An employee who performs such work is entitled to be paid at the overtime rate or earn compensatory time in accordance with 5 CFR 550 and 5 CFR 551.
- b. Compensatory time off is time off from regularly scheduled work in lieu of overtime pay for irregular or occasional overtime hours previously worked. Compensatory time may not be granted in lieu of regularly scheduled overtime

that is established in a tour of duty, regardless of whether the overtime is scheduled within the 40-hour basic workweek or outside the 40-hour basic workweek, unless the employee is using a flexible work schedule as defined in Article 18.3.b.

c. Eligibility:

- (1) General Schedule (GS) employees whose basic rate of pay is equal to or less than the maximum rate of a GS-10 may request compensatory time off in lieu of overtime payment.
- (2) Only employees exempt from the Fair Labor Standards Act (FLSA) whose rate of pay exceeds the maximum rate of grade GS-10 may be required to take compensatory time off in lieu of receiving overtime payment.
- (3) For an employee to receive compensatory time off in lieu of paid overtime, the employee must request it in writing.

d. Use and payment of compensatory time

- (1) An employee must use accrued regular compensatory time off to which she/he is entitled in accordance with FSH 6109.11. Regular compensatory time expires, if the employee does not use their compensatory time within 26 pay periods from the pay period it was earned. Employee must use compensatory time off before they are granted approval to use annual leave, unless it would cause the employee to forfeit annual leave at the end of the leave year. Employees are entitled to payment of expired compensatory time at the overtime rate that was in effect when the compensatory time was earned.
- (2) The pay period after compensatory time has expired, ASC-HRM will notify the employee and their supervisor that the employee is eligible for payment of expired compensatory hours and will inform them of the required documents needed to pay out the funds.
- (3) Within a pay period of notification, the supervisor will submit the required documents to the ASC-HRM. The ASC-HRM will process regular

compensatory time payments upon receipt of required documents within two pay periods.

7. Standby:

- a. An employee will be considered on duty and time spent on Standby Duty shall be considered hours of work if the employee (Reference 5 CFR 550.112(k) and 5 CFR 551.431(a)):

- (1) Is restricted to his or her living quarters or designated post of duty,

- (2) Has his or her activities substantially limited, and

- (3) Is required to remain in a state of readiness to perform work.

- b. Employees who are involuntarily placed on standby, regardless of the methods Management uses to restrict use of personal time and to maintain their readiness for work (for example, beepers, cell phones), will be compensated in accordance with applicable Federal pay regulations. Employees who voluntarily restrict their activities and/or use electronic communication devices to be available for duty after work hours are not on standby. The Local parties may further negotiate matters concerning scheduling, rotation, and hardships.

- 8. Employees will not be required to provide coverage for call back to duty under conditions more restrictive than those provided for in Article 18.11 unless they are in pay status.

- 9. **Call Back Compensation:** An employee who is called back to duty is compensated beginning from the time they report to their duty station or start to perform work. Such employee will be compensated a minimum of 2 hours of overtime compensation for each callback period. The 2-hour minimum does not apply to work performed at employees' residences; however, such work is compensable in accordance with pay and overtime regulations. Note: Time spent at individual's personal residence preparing to depart on a fire assignment is not compensable.

- 10. **Travel Pay:** Employees shall be compensated for travel time as authorized under 5 CFR 550 and 551, the Fair Labor Standards Act, and Federal regulations. Normally,

employees will not be expected to travel without being eligible for compensation. However, if the employee is expected to travel on Government business without entitlement to compensation, he or she will be notified in advance and provided the reason(s). When an employee cannot otherwise be compensated for travel time, the employee may be eligible for compensatory time for travel, in accordance with 5 CFR 550.1401(n) and FSH 6109.11, Chapter 30). In most circumstances, compensatory time for travel, if it is not used within 26 pay periods after it is earned, will be forfeited.